

Save the Wetlands, do not build in the Northeast Neighborhood!

The Fromberger Family

I attended the public presentation at the Fitchburg Community Center. It was a very nice, professional presentation and one might think "why would anyone be opposed to it?"

The problem, however, is that too often we get caught up in the small details and can create a beautiful small entity that seems to have little or no flaws -- unless we back up and look at the context, the surroundings.

This Sunday's Madison newspaper points out the increasing concerns with water -- not out west or in the southwest -- but here in central Wisconsin. We are pumping too much water, and we are covering over the fields where recharge happens with cement and asphalt.

So my comment on the Northeast Neighborhood plan:

Fitchburg must look at the larger picture, and consider the future needs: is it more important to preserve our natural resources -- i.e. water, our aquifers -- than to satisfy someone's desire to make more money? I see no urgent need for putting more houses, apartments, condos, cement and asphalt in this part of Fitchburg which is critical to aquifer recharge.

John Fournelle
2765 Raritan Road
Fitchburg, WI 53711
(608) 274-2245

Bruce:

I hope you are still taking comments on the NE Plan based on the Public Informational Meeting #4 of 7/12/2007.

1. At the meeting I found that the Ruekert-Mielke staff apparently were not made aware by the owners of the land bordering the Nine Springs boundary that this land is very likely an Indian (Winnebago) historic site. It is also one of the most beautiful sites in the area already lush and shaded with trees, hiking areas, and gardens. It already has a building that could be bought and restored by the City as an alternative to bulldozing the area and putting in a park somewhere else further south next to a higher density site. If the City already wants to redesign this property I would suggest that further research be done on the part of all parties concerned to see if this site indeed does have historic value, and if something can be done to preserve it for posterity.

2. This "neighborhood" is one of the last existing corridors that wildlife have - deer in particular - between the Arboretum and the Dunn area. Every day small families of deer in particular use this land to go back and forth for water, food, and shelter. The cranes and wild turkeys use this area also for food, particularly because it is agricultural land and they eat what is leftover from the fall harvest to get through the winter, as do the deer.

3. CTH MM is already congested. It is already dangerous at certain times of the day walking across the road just to get to the mailbox. The traffic is louder than ever. I cannot imagine more roads connecting to MM without it getting to be bumper-to-bumper traffic within a few years of the first of these roads being built.

4. I would like to commend the Ruekert-Mielke group for planning a buffer area so that the "neighborhood" does not go as far as possible up to the edge of the boundary adjacent to Larsen Road, and the half-moon shape to the development to add interest and more parkland to the area. However, ironically, this area of Fitchburg is already very much a "park" and it is unsettling to think ahead of this area decimated of trees and wildlife only to be replaced by a development of multiple buildings surrounded by mowed lawns and - as with every other development - interspersed with a park of carefully placed spindly trees.

Sincerely,

Elizabeth Breed/ 2835 County Hwy. MM

Ruekert-Mielke,

I oppose development of an entirely new "sub-city" in the Northeast Neighborhood. It will only fragment the city of Fitchburg even further. Focus instead on more compact development in already existing areas. We need to make the current city better at meeting our commercial (shopping), civic, educational and social needs. An increase in sprawl is exactly the wrong thing to do.

Judith Stadler
5629 Nutone St.
Fitchburg

Comments on the Northeast Neighborhood Stormwater Management Plan

I provide my critique of the Stormwater Management Plan under a series of headings, as follows:

1. ***Failure to take the Watershed into Account.*** The Nine Springs Creek Watershed and the Swan Creek Watershed are smaller component of the Lake Waubesa Watershed. The Lake Waubesa Watershed, with a principal contribution to it by the City of Fitchburg is the primary surface hydrologic feature of the “Northeast Neighborhood.” The very critical and far-reaching failure in the Stormwater Management Plan as produced by the firm of Ruekert/Mielke Engineering firm of Milwaukee is its total neglect and absence of any recognition of the Lake Waubesa Watershed within which the entire designated “Northeast Neighborhood” is located. A principal requirement of any watershed planning effort is that it must be accomplished within the context of the watershed in which it is located. The Ruekert/Mielke Stormwater Management Plan simply does not address this vital context within which any stormwater plan or study must be placed. It therefore does not evaluate in any appropriate manner the very topic of concern: run-off within the specific watershed of which it is a vital component. Put in other words, stormwater run-off is the run-off of stormwater, by definition. And the system within which and through which this water runs—the watershed—must be the central focus of any stormwater run-off plan or study. The Lake Waubesa Watershed, and Lake Waubesa itself, not only are neglected in this study, but the relationship of Lake Waubesa water quality in the context of this storm water runoff study is not addressed.

2. ***The Stormwater Management Plan is not a Plan.*** The document produced by Ruekert/Mielke defines itself as a set of “objectives.” While it is true that objectives clearly must be identified as a pre-requisite to the planning process and to the development of a stormwater plan, these objectives by themselves do not in any way constitute a plan. The report therefore does not live up to its name, and the document produced represents a failure in producing a plan of any sort whatsoever. On the contrary, the Ruekert/Mielke document leaves it to site-by-site analysis the function of developing site-by-site plans. This is contrary to state-of-the-art land use planning. William B. Honachefsky, in his book, *Ecologically Based Land Use Planning*, writes for example, “Designers and developers should encourage the local governments to create storm water management authorities that encompass the entire watershed. Although watersheds may include any number of municipalities, the watershed approach is a more accurate and effective means of managing storm water runoff... Developers can contribute to the authority based on runoff quantities and avoid the expense of dealing with the storm water on a site-by-site basis.” Despite this more accurate and more effective means of managing storm water runoff, the “plan” of Ruekert/Mielke advocates a policy to deal with storm water on a site-by-site basis. The Ruekert/Mielke therefore is not a plan, but objectives that address the pieces of the watershed without considering, or even recognizing, the watershed as a whole. This is a clear violation of the principles of contemporary land use planning and provides no material whatsoever that would allow development plans, or designation of an urban service area, to be enabled.

3. ***Failure to Use Modeling and Predictive Technology.*** The document produced by Ruekert/Mielke fails to make use of some principal analytical tools for evaluating runoff, including such techniques as or similar to the Rational Method, the Source Loading and

Management Model (SLAMM), and the Storm Water Management Model (SWMM) as summarized for example by the Minnesota Pollution Control Agency at <http://www.pca.state.mn.us/publications/swm-ch8.pdf>.

4. *Failure to recognize and analyze specifically phosphorus loading.* Phosphorus is the principal pollutant of concern to the watersheds of Swan Creek, Nine Springs Creek, and to the Lake Waubesa Watersheds. Yet this is very insufficiently recognized and insufficiently dealt with in the Ruekert/Mielke storm water study. It is critically important, and its being passed over lightly is a major deficiency in evaluating the impacts of extending the urban service district to include the “northeast neighborhood” and to moving in the direction of permitting residential development in this area and its special and vitally sensitive watersheds of Swan Creek, Nine Springs Creek and the Lake Waubesa Watershed of which they are intrinsically a part.

5. *Failure to do the storm water study in the context of a water balance for the region and for the City of Fitchburg.* While likely inclusion of a water budget of the region and city was not part of the mandate given Ruekert/Mielke, it is a serious oversight. It is an oversight similar for addressing withdrawals from a savings account (groundwater being the balance or bottom line) and only one of two major withdrawals being studied and considered. Large scale municipal wells are also a major means of export of water from the region and the City of Fitchburg and must be considered in sum. Moreover, these withdrawals must be part of a water budget that also includes “deposits”—recharged water to the system. The recharge is addressed in the Ruekert/Mielke report, but only in terms that indicate that deposits to the groundwater would be made one of the objectives of any proposed development. But this does not address the water budget and the water balance. Large withdrawals—by runoff and municipal well pumpage—will not be compensated by small deposits. The withdrawals and deposits must be kept in balance for the “bottom line” to remain sustainable—the “bottom line” being the level of the water table. Managing a savings account by only looking at one of two major kinds of withdrawals, and by only saying that deposits will be made but without saying whether these will match the total withdrawals, is poor accounting, and poor economics. More than that, it has immense consequences on into the near and more distant futures. Already it means that some spring flow have been substantially reduced. This will continue and expand to include additional spring flows that will degrade regional natural resources, and do this very substantially.

6. *Failure to address Eutrophication of Lake Waubesa.* A primary purpose for a stormwater runoff plan is to prevent downstream eutrophication from occurring as a consequence of urban development. This purpose is wholly neglected in the Ruekert/Mielke report, and yet is most vital to the City of Fitchburg and to the region in which it resides. Eutrophication of Lake Waubesa has occurred in the past, first with the outfall of treated sewage into it from the Nine Springs Sewage Treatment plant operated by MMSD—a problem solved by the diversion of this outfall through a by-pass aqueduct that re-routed the effluent to Badfish Creee, and second with the conversion of cottages on septic tanks to year-round homes on Lake Waubesa—a problem solved by building sanitary sewers in the floor of Lake Waubesa on the east and west and pumping effluent once going to leaking septic systems to the Nine Springs Sewage Plant. A third effort was the successful defeat of a proposal to build a waste-disposal landfill site on the western shore of Lake Waubesa by Costain of England that using “state of the art” “best

engineering practice” would have put 300 gallons of leachate into Lake Waubesa daily via groundwater inflow. Thus, the failure of the Ruekert/Mielke study to address eutrophication, particularly in the light of their generic recognition in their report of the negative impact of urban development on surface waters, puts their report into a highly doubtful status as supporting additional urban development.

These six are among the most major deficiencies and failures of the Ruekert/Mielke report, and are fully sufficient not to use it as a basis to approve extension of urban services or residential and business development in the “Northeast Neighborhood.”

Sincerely,

Calvin B. DeWitt
Professor
Gaylord Nelson Institute for Environmental Studies

Member of the Graduate Faculties of
Land Resources
Water Resources Management
Conservation Biology and Sustainable Development, and
Limnology and Marine Science

Attached you will find our comments on the most recent "Draft Land Uses" plan of 6/1/07, which we sincerely hope will not change! In our opinion, it is a vast improvement over the initial plan.

It begs the question, why does it say "(For Discussion Purposes Only)"?

Please respond, and thank you.

Bill & Judy Harris

July 21, 2007

To: Ruekert-Mielke
Fitchburg Council Members
Fitchburg Plan Commission Members
Phil Sveum of Sveum Realty

From: Bill & Judy Harris @ 4870 Goodland Park Road, Fitchburg

Subject: Northeast Neighborhood Land Use Plan of June 1, 2007

We were unable to attend the recent Ruekert-Meilke Open House due to a convention and family camping outing with our three children. Upon our return Thursday we obtained the new land use map dated June 1, 2007, stipulating it is "For Discussion Purposes Only". We're not certain what that means, but sincerely feel it is a vast improvement, from our point of view, from that of September 25, 2006. We will try to make our comments short and to the point.

From the beginning, when we learned Sveum had purchased the land, we knew development was going to occur. Our primary goal was consideration of those of us already living in the Northeast Neighborhood.

On the plus side with the revised June 1, 2007 map:

We feel you heard our public appearance pleas concerning our "back yard" because the new plan has Park and Open Space behind us and all the way to our Highway MM neighbors as opposed to Multi Family Residential dwellings dividing us. Bless you and thank you for listening to our few voices!

The less harsh, slightly curved configuration of the Low Density Residential and Medium Density Residential areas north of us flows much more smoothly while accomplishing a similar density. In other words, it doesn't appear that you're trying to squeeze dwellings into every square inch of land. This revision is much more elegant, if you will, and a big improvement.

The reduction in High Density Residential areas east of Hwy MM is greatly appreciated. The residents along Clayton Road and MM in the northern quadrant are well insulated by woods, so they won't be bothered by the High Density Residential area designated.

The land west of Hwy MM remains privately owned land, as far as we know. That is the major area that will make us a little town with high density employment and high density housing, together with lots of astronomically costly road construction and the interchange. We don't envision that as being developed for a number of years, if at all, unless you declare eminent domain to force it, and there's no need or demand for that right now. So,

on the plus side, we feel that development there will come much later. We hope you don't prove us wrong.

On the minus side with any plan:

Our biggest concern is what it will cost all of us to hook up to city sewer and water. Do we have a choice? Will it increase our property value? How is the cost determined? Can you give us a ball park figure we can work with? An estimated time when this expense will hit us? We really would like some answers to these questions. Would it be feasible to have a meeting of the NE current residents who will be affected with answers to these questions and a healthy discussion? It would certainly go a long way in the area of PR for the City. It would show you are sympathetic to the issue and do care about us.

We continue to be very concerned about the water supply and quality, and its relationship to the environment and Lake Waubesa. Will we still have runoff into Swan Creek? To us that simply is not acceptable. How's it working in the Swan Creek development?

Everywhere you look you see "For Lease" signs looking for business renters, and empty condos by the hundreds in Madison and the surrounding communities. We've been told Oregon has over 200 vacant new homes, apartments and condos. The market is already saturated with every kind of construction, and still we build, and build, and build with the assumption that the current market won't last? And what's the big rush in this development? Well, good luck! We've lived here 23 years and have yet to see the little mall on Rimrock fully leased. They go out of business in a few months and are empty again. Is it because of location? Now there's the new Credit Union building on Rimrock and the second big business building close to being done with yet another one or two to come at that location. That's less than a mile from the Employment Hub in the latest plan west of MM. Again, good luck! In our opinion, it's a bad location for business and a huge cost to the taxpayers for all the new roads and the interchange we don't believe will pay off in the end.

Thanks again for "listening".

Please slow down!! Let's try to fill all the building that has been done in the past few years. Leave the wetlands alone. More and more of our wildlife has nowhere to do. We are putting far too many people on "postage stamps"

JoAnn Russell
alfredr309@aol.com
608-273-0907

Please no dense building in the NE neighborhood. Our water is our most important resource. Town of Dunn is responsible. Let's hope Fitchburg will be also. We've been out of town until today. Hope our comments are not too late.
John and Judy Plambeck

Attached please find my response to the draft Northeast Neighborhood stormwater plan. There are a number of comments and some questions. I would like to get your feedback regarding the comments as well as discuss the answers to the questions, at your convenience. Perhaps a meeting would be appropriate.

Thank you.

Samuel Cooke
5267 Lacy Road
Fitchburg, WI 53711
608-444-5339

Just so you know, I contacted Rick Eilertson (City Environmental Engineer) earlier today and verified that comments could be submitted until midnight on 7/20/07. I have also copied in these comments to my two District 4 Alderpersons.

After reviewing the Draft Land Use Plan for the Northeast Neighborhood in Fitchburg and the Draft Northeast Neighborhood Conceptual Stormwater Management Plan, I turned in comments and questions regarding the stormwater issues with a separate email.

Regarding my response to the Draft Land Use Plan - I have two statements. One is short, the other is longer.

First - No leap frog development! Don't develop the Northeast Neighborhood before the Green Tech Village is developed.

Second - In order to have a basis for my longer response I reviewed two of the Future Urban Development Area (FUDA) maps (Agricultural Productivity and Natural Resources) available on the City of Fitchburg website. These two criteria - Ag and Natural Resources - are what an overwhelming majority of Fitchburg residents, in a survey taken a few years ago, have indicated is their top priority for preservation. I am definitely a part of that majority. So, when I look at the east half of the Northeast Neighborhood and I see some of the best farmland in the world (scoring an 8 on the 9 point scale) and I look at 60% of the Northeast Neighborhood and I see it has the top designation of "Most Natural Resources" I find it would, quite simply, be a great loss to Fitchburg to develop that area - lost forever to pavement and roofs. Then, when you take into account the surrounding organic farms, natural areas, wetlands, fen, Northern Pike Fishery, Deep Springs, Nine Springs Creek, Murphy Creek, Swan Creek, Lake Waubesa, State and County parks and the E-way, I have to ask - What are we doing developing in that area, with so much connected to the natural systems that support our high quality of life at stake? We really need to be careful and not move too quickly. Consider my other comments and questions that I had during my review of the Draft Conceptual Stormwater Management Plan (see attached).

Thank you.

Samuel Cooke
5267 Lacy Road
Fitchburg, WI 53711
608-444-5339

To: Ruekert Mielke

Copy: Tom Hovel (City Planner and Zoning Administrator) and Rick Eilertson (City Environmental Engineer)

From: Samuel Cooke (5267 Lacy Road, Fitchburg, WI 53711)

Date: July 20, 2007

Subject: Review of Ruekert Mielke Northeast Neighborhood Conceptual Storm Water Management Plan - Draft

I want to express my appreciation to City of Fitchburg staff and elected officials for commissioning the Ruekert Mielke May 2007 report, Northeast Neighborhood Conceptual Storm Water Management Plan – Draft. As stated in the Ruekert Mielke plan, the northeast corner of Fitchburg is in an area that has many important natural features that deserve protection and careful consideration. With Nine Springs Creek and E-way to the north, Lake Waubesa to the east, Swan Creek and Murphy Creek to the south I was especially interested in how the engineers and planners preparing this plan would conceptually address the stormwater management issues. As a sensitive area of Dane County, the Northeast Neighborhood is certainly unique to most parts of Fitchburg. Therefore, the stormwater management needs to be implemented with a higher level of care than most other parts of Fitchburg. Consistent with what the plan presented, the stormwater management standards, because of the location and proximity to the sensitive natural areas, needs to exceed the current City of Fitchburg standards. This is needed because we don't just need to control and manage the stormwater but we also need to allow these sensitive areas to start recovering from the degradation that has already occurred from other developments and from modern agricultural methods. This recovery would be consistent with what an overwhelming majority of Fitchburg residents indicated when they completed a Fitchburg planning related survey a few years ago. The majority of Fitchburg residents placed protection of agricultural land and protection of natural resources as their top priorities, when it came to City planning issues. So, again I applaud the efforts to act responsibly and carry out the desire of an overwhelming majority of Fitchburg residents, by focusing on stormwater management issues. Here are my comments and questions, as well as a list of identified typos:

COMMENTS AND RECOMMENDATIONS (Please add these to the plan)

1) Provide Guidelines for Separate Construction and Long-term Stormwater Management Controls - One of my main concerns is regarding the requirements that should be in place during construction at the site. It is at that time when there is the opportunity for the highest concentrations of sediment (total suspended solids) and, with it, the higher concentrations of the other pollutants of concern, to leave the site and damage the neighboring sensitive natural areas. As you know, stormwater management controls are typically installed for the long-term benefit of the development while often, during construction, large quantities of sediment and other pollutants (e.g., spilled diesel, trash, dead vegetation, etc.) are attempted to be temporarily treated/filtered/contained using sediment fencing, riprap, straw bales, erosion mats, filter socks and other means. But the stormwater management controls in place during construction often fail to treat/filter/contain the worst runoff. Over the past several years, during several high

runoff rate storm events, I have witnessed stark examples of this type of failure. At two developments, that are direct neighbors to my two Lacy Road properties, the interim stormwater control measures tried to treat/filter/contain the runoff but failed because of the quantity of rain and the inability of the control methodologies to adequately treat/filter/contain the large flows of muddy runoff from the completely bare site. I stood there and watched as the rain poured, the mud flowed and the contractors/developers shrugged their shoulders. I know this is a widespread problem and the effective solution requires a concerted effort and partnership between the planners/designers, contractors, the City Department of Public Works and the City Building Inspection Department. But, because this is the planning stage of this project I propose that the following issues be included and handled separately in the final conceptual stormwater management report:

- Identify the stormwater management practices that conceptually will be implemented temporarily before or during the initial stages of the construction phase. The stormwater management practices should not only include the traditional methods of sediment fencing, riprap, straw bales, erosion mats and filter socks but should also include implementing either centralized or local detention basins and other controls. The centralized and/or local detention basins and other stormwater management controls should be implemented so that they are put in place prior to or at the same time as the initial site clearing and grading stages. These controls should be designed for the much higher peak sediment loads that would be expected from the initial and subsequent construction stages of any on-site development. The need for this is consistent with the Erosion Control text on Page 38 of the conceptual plan, but additional text describing this is needed.
- Identify the stormwater management practices that conceptually will be implemented for long-term management, post-development. This would, of course, likely utilize the same location and some of the same types of control as the first bullet but may require that the detention basin be excavated to a deeper depth, when it is installed at the start of the construction project, to handle the sediment that normally just flows off-site as part of the site clearing, grading and subsequent stages. It is my experience that, without detention basins and other controls in place at the start of a development, tons of sediment needlessly leave the site during construction and this site cannot afford to have that take place.

2) Provide Enhanced Stormwater Management Standards – Another concern is the level of treatment that is being recommended. I appreciate the fact that the plan states the importance of the sensitive natural areas that exist along three of the four borders. I also appreciate the fact that the plan exceeds the City of Fitchburg Standards for Infiltration (Residential), Infiltration (Non-Residential), Wetland Protection and Thermal Control. With the sensitivity of the areas surrounding the proposed development area, I agree that the normal City of Fitchburg Standards should be reviewed for this development and made to be more stringent. I agree with the more stringent recommendations that have already been recommended and would like to see all of them in the final plan. Consistent with what has been done already I believe the other standards should be raised as well, especially for Total Suspended Solids (TSS). I propose that the TSS reduction goal of

80% should be increased to 90% based on a 2-yr, 24-hr storm event. This is based on the proximity to the wetlands and Northern Pike fishery at the southern tip of Lake Waubesa. Sediment loading to these areas must be limited in an attempt to turn around the degradation that has already occurred. Along with that increase in the TSS reduction goal I recommend that the off-site soil loss limit of 7.5 tons per acre (Erosion Control Standard) annually should be decreased to 5 tons per acre annually. This could be accomplished through the consistent enforcement of construction erosion control practices, street cleaning and the use of added detention, auxiliary filtration and other techniques. In addition, during construction and post-development, specific treatment for phosphorus reduction is needed because of the possibility of eutrophication of Lake Waubesa, limited only by the potential phosphorus loading (perhaps this could be addressed through the more stringent TSS reduction goals but it should be shown that phosphorus is expected to be treated).

3) Specify a Stormwater Site Inspection and Enforcement Plan – With any standards there, of course, needs to be site inspection and enforcement during construction and post-development for the stormwater controls that are specified and installed. The City of Fitchburg already has strong Building Inspection and Stormwater Utility District Departments. However, with stormwater management standards that are more stringent than elsewhere in Fitchburg, a site inspection and enforcement plan, that provides for those changes, is critical to the implementation of this stormwater management plan. Particular attention needs to be made to enforcement during construction. Therefore, it would be of benefit to have a conceptual outline of what enforcement steps are needed to properly implement the conceptual stormwater management plan so that those who are assigned to inspect know the differences to expect between this site and the normal Fitchburg construction site.

4) Additional Information is Needed to Prepare an Effective Design - I agree with the plan's recommendations that the following additional studies and reports should be prepared prior to, or as a part of, site specific stormwater management plan completion: **Groundwater study** (including storm water recharge, water quality and spring flow protection), **Definition of environmental corridor issues** (wetland delineation, cultural archeological resources and endangered species identification), **Site specific investigations** (type of soils, depth of bedrock, depth of groundwater, infiltration and recharge rates). Furthermore, I agree with the suggestion on Page 57 to further evaluate and update the existing Dane County groundwater model as part of an overall effort to improve the accuracy of groundwater related predictions. Ken Bradbury (Wisconsin Geologic and Natural History Survey) should be contracted to perform this much needed update.

5) Implement Dane County Water Quality Plan – I agree with the references to the fourth Framework Plan (Pages 9 and 10) when it says that Fitchburg should: "...enforce infiltration maximization measures to protect Nine Springs Creek base flow; vigorously enforce and expand comprehensive erosion control and stormwater management requirements beyond the minimum standards of the Dane County Ordinance to protect Nine Springs Creek from the adverse impacts of development; revise building ordinances

to require roof drainage to grassed areas, where feasible, for new development.” This is another reason why Comment No. 2, above, is needed. Either in the conceptual or the more detailed, site specific stormwater management plan the other elements of the Dane County Water Quality Plan should be discussed and a commitment made to implement those measures.

6) Potential for Damage to the Sensitive Natural Areas Should Far Outweigh Stormwater Management Cost Issues – I ask that you read in the July/August 2007 edition of Stormwater magazine (The Journal for Surface Water Quality Professionals) the article on “Stormwater Management as Adaptation to Climate Change” (Page 50 in the magazine). In the first paragraph of that article, the Intergovernmental Panel on Climate Change (IPCC) is cited as saying that there will be: “...a 90% chance of increased frequency of heavy rainfall events, heat waves, and hot extremes in the 21st century.” The article goes on to say, in the second paragraph: “This news comes at a time when many fundamental aspects of infrastructure management are being questioned and appear to be changing radically and in ways that will aid adaptation to climate change.” With global climate change being so unpredictable, and the modeling for the stormwater management systems being based on 1981 precipitation data, I recommend that more controls be assumed to be needed than less controls. However, on page 28 of the conceptual stormwater management plan, at the top of the page, there is the sentence: “The [stormwater management] systems should be cost effective, meeting the objectives at the lowest practicable cost.” Although I appreciate the fact that the “lowest practicable cost” is an important part of a normal design I think that, with the sensitive areas surrounding this part of Fitchburg, finding the cheapest way to “meet the objectives” should not be the emphasis. I would recommend that the final stormwater management design should lean heavily toward the better and more flexible solutions rather than the lowest cost of the currently available alternatives. Please have the plan reflect the above general sentiments.

7) Establish Recharge Rates Based on 7.6 inches per year PLUS the Amount of Groundwater Extracted for Use – I know this would be a departure from the established recharge design criteria but I am suggesting that the development be made to be sustainable and compensate for not only the loss of pervious surface, due to development, but also compensate for the extraction of groundwater that come with having additional households, businesses, etc. The true and sustainable recharge should account for not only the water not making its way back into the aquifer(s) but also the amount of water extracted for use by those inhabiting and visiting the developed area.

8) Establish a Public Education Plan – The need for public education and public involvement is mentioned several times in the plan. I agree with this and know that it not only needs to be performed initially but also on a consistent basis. The people who inhabit the development 10 and 20 years from now will have just as much impact (or more) as the people who would inhabit the development the first year. A long-term public education plan needs to be laid out either by the City, as a separate document, or conceptually within this plan, as part of the Northeast Neighborhood development. What are the suggested ways of carrying out the public education component of the conceptual plan?

QUESTIONS (Based on the answer, please change the appropriate part of the plan)

Page 8: Can you include links for all of the framework plans that you utilized for the conceptual stormwater management plan, that are listed in Chapter 2, so that others can have ready access to those documents for review?

Page 8 – 12: Nine documents, plus two Wisconsin Administrative Code documents (NR 151 and NR 216), make up the eleven framework plans. Could you include information about the most helpful and potentially applicable of the thirteen other documents that the City of Fitchburg determined to be pertinent, but were not mentioned by Ruekert Mielke in the conceptual plan, such as: Dane County Water Quality – Conditions and Problems Report (Dane County RPC, 1999) or Chapter 14 – Manure Management, Erosion Control and Stormwater Management (Dane County, 10/31/06)? Perhaps even provide an explanation of which other of those documents were also reviewed, if they were, or why they were not considered to be pertinent to the stormwater management issues that were addressed in the conceptual plan.

Page 20: Fourth paragraph: When the word “encouraged” is used here, and in other parts of the plan, should the word “required” actually be used? Regarding the use of “encouraged” on Page 20 of the conceptual plan - is avoidance of work or disturbance within floodplains that are regulated by local, state and federal regulations “encouraged” or “required”? If it is required then please change the wording. This also applies to these other pages: Page 1, first paragraph; Page 55, first paragraph.

Page 26: Pie Chart of Potential Planned Land Use. How much of the 46% Parks and Open Space needs to be preserved anyway, as part of the Nine Springs Creek E-way?

Page 27: Bottom of page. There is a list of the four “Chapter 5 Design Criteria” Basic Concepts. I was a little surprised that a similar list, on Page 27, did not include the complete list of seven plan goals and objectives found in the plan on Page 7. The list on Page 27 left out the protection of existing wetlands and sensitive natural resources, as well as preserving and reproducing existing hydrologic conditions. Are these implied “Basic Concepts” of urban stormwater management? If so, I think these items need specific mention in this document on Page 27. If not, then does “urban stormwater management” apply or would a more stringent “sensitive area stormwater management” criteria be more applicable? If a more stringent “sensitive area stormwater management” criteria applies then please mention it in place of “urban stormwater management”. My point is that the “Design Criteria Basic Concepts” are very important in a conceptual plan and should reflect the true nature of the plan’s intent. The area where the design is expected to eventually be carried out happens to not be urban in-fill but, as you know, within a sensitive natural area. The “Design Criteria Basic Concepts” needs to reflect that.

Page 30: Does the assumed "Peak Runoff Rate" for each assumed storm event consider the potential for significant changes to what a 2-year, 10-year and 100-year storm event will yield for peak runoff rate, with the effects of global climate change still unknown (See my Comment No 6, above, for more background regarding this question)? I know that is hard to address, with so many unknowns. So, if you cannot answer that question definitively I ask for an evaluation of what could be the new peak runoff rates, prior to completing the final design for the stormwater management controls.

Page 32: Does the design recharge rate of 7.6 inches per year go far enough to compensate for the loss of pervious surface AND the added groundwater extraction, given the fact that groundwater levels are dropping in Dane County?

Page 40: Near the bottom of the page: "While wetlands may be effective in controlling nonpoint source pollutant loadings to downstream waters under certain conditions, the accumulation of pollutants may be harmful to the wetland ecosystem." With that statement being true, my question is, looking at NR 103.04, does any part of the wetlands, springs, Lake Waubesa, state park, etc. surrounding the proposed northeast neighborhood fit in as any of the listed designated areas? If so, would it be reasonable to assume that any of the items listed within 103.03(2)(e) would be a significant effect from the development of the northeast neighborhood? If that is also true, would the stormwater management systems that are being proposed within the conceptual stormwater management plan sufficiently mitigate the effects so that the NR103.04 designated area(s) would be guaranteed to be insignificantly affected? Has this issue been considered, or an opinion given on this issue, by the WDNR?

Page 45: Regarding thermal controls and infiltration, I have this question: Is the "Deep Springs" that is located at the southern tip of Lake Waubesa fed from shallow, deep or both shallow and deep aquifers? If we don't know then should we find that out before we draw down the deep groundwater more and limit recharge to the shallow aquifer?

Page 49 (Exhibit 9): Could I review the assumptions and variables and perform a general review of the modeling that was performed to arrive at the size of the detention basins and size of the infiltration areas? Intuitively it seems that the requirements should be more stringent and the detention basins should be larger for the basins that are closest to the sensitive wetlands areas (Basins 1, 3, 4 and 6) when compared with the size of the detention basins within the basin areas that are not adjacent to the sensitive wetland areas (Basins 2 and 5). For example, compare the acreage of Basin 2 (56.1 acres) with the area of Basin 4 (205.25 acres) and Basin 4 is almost four times larger than Basin 2 yet the detention basin sizes are exactly the same. Can I review the modeling to try and understand this, and similar issues, better? I may have more questions, based upon that review.

Page 50: Is the WDNR's recommendation of using the 1981 rain file within SLAMM appropriate? How do the last ten years of precipitation data compare with the 1981 data?

Pages 51 – 54: For Figures 1 – 6, over what time period are the various contaminant weights included in the SLAMM MODELING POLLUTANT LOADINGS generated (e.g., weight of phosphorus for each bar in the Figure 2 bar graph – over what amount of time is the weight of phosphorus assumed to have added up)? If annually, or some other time period, please provide that information with the figures.

Page 55: Third paragraph, second sentence states, “Conveyance channels are vegetation-lined...and are interconnected with natural surface depressions and wetlands.” My question is: Should the natural wetlands be used as part of the “treatment” or should the water be “treated” prior to introduction into the natural wetland areas?

Will any NR 353 Wetland Conservation Activities be conducted as part of the proposed NEN work?

TYPOS

During my review I noticed a few typos. Just so you have this information I have passed it along.

Page 10: First paragraph, third line: “...to the maximum extend practicable.” should be “...to the maximum extent practicable.”

Page 42: Last paragraph, last sentence: “...300 feet wetland buffer” should be “...300 foot wetland buffer”

Page 43: Under (1) (B) (3) (a) within the second sentence, the font size of the text is smaller than the rest of the document.

Page 55: INTRODUCTION paragraph, final sentence, near the end: “...maximum extend practicable.” should be “...maximum extent practicable.”

Page 58: First paragraph, fifth line: “...to emphasize and education the public...” should be “...to emphasize and educate the public...”

Appendix A: Where the “City of Fitchburg” column and the two “Infiltration” rows intersect, it is my understanding that both of these standards should be worded the same as the respective Dane County Standards for Infiltration and not the variation of the less stringent DNR Code 151 wording that they currently are.

To: Ruekert -Mielke

From: Catherine Coberly, 2580 Lalor Road, Oregon WI 53575

First, I'd like to express my appreciation for the fine presentations and discussion opportunities your firm has provided for citizens to take part in the planning process for Fitchburg's so-called Northeast Neighborhood.

However, after attending all meetings and doing quite a bit of research, I remain convinced that developing the Northeast Neighborhood as you envision is not in the best interest of the citizens of Dane County. Because of its proximity to Lake Waubesa, Capital Springs State Park Complex, Madison's E-Way, Swan Creek, the Holtzman Conservancy and many acres of outstanding wetland and woodland in private hands, the Northeast Neighborhood question is of considerable regional interest. The recent Dane County Parks and Open Space Plan mentions this area as one of special importance. While I understand that the question of whether to develop or not is ultimately in the hands of the Fitchburg city council, your plan will have considerable influence. Therefore, without going into great detail, I submit the following comments.

1. The large number of additional residents will have a serious impact on groundwater reserves. The groundwater in this area is already seriously down and our lakes, streams and springs are suffering for it. Lake Waubesa's Deep Spring which supplies much of the cold water which freshens the lake could be impacted -- if this happens, Lake Waubesa will eutrophy quickly.
2. There is not an adequate buffer provided for Swan Creek and its associated wetlands. This creek, which is already impacted by development upstream, is a major supplier of fresh water to Lake Waubesa.
3. It is unlikely that the stormwater measures recommended in the plan will adequately protect Swan Creek. It is essential that the water in Swan be improved, rather than further degraded. Settling ponds simply don't remove all pollutants and they heat up the water.
4. The road and housing planned for the East Clayton ravine and ridge will impact Native American sites, relatively untouched oak-hickory woodland, springs and wetlands and unusual topography and rock strata, all of which should be preserved for future generations.
5. The traffic situation will make MM unsafe for pedestrians and bicyclists to cross -- this will bisect the neighborhood.
6. Traffic outlets on East Clayton and Larsen Roads are incompatible with recreational and agricultural uses on and near these roads.
7. Traffic from the new neighborhood will travel to the south Beltline along Meadowview and Lake Farm Roads, adversely affecting farms and Capital Springs State Park.

8. Large areas of hydric soils have been ignored as potential wetland restorations. Buffers around suggested wetlands are too narrow.

A neighborhood of this density is inappropriate in such an environmentally sensitive area. Development should definitely remain west of MM.

Thank you for your consideration.

Storm Water Management Plan

Any development in the proposed northeast neighborhood area would produce a huge issue of storm water management. In addition to the dangerous driving conditions produced by flood waters and in freezing temperatures, increased runoff could cause damaging floods to sensitive ecosystems in the Waubesa Lake. Plentiful runoff ponds, wide wetland buffer strips and additional tallgrass strips are essential to lessening these dangerous and costly issues, though they cannot solve the issue alone. Progressive developments have included tallgrass prairie landscaping and walkways made of penetrable surfaces to additionally help with this issue. The impenetrable surfaces involved in a development (pavement, roofs, sod grasses) could cause runoff in hard rainfall that exceeds what hydrologists predict. In cases where motorists were taken by surprise by floodwaters and ice, personal injury and public expense would be the consequence. With less infiltration of water, our watertable is at risk of being diminished. Current irresponsible waste of water in non-functional landscaping irrigation is a huge culprit of this in my mind, and in addition to addressing this problem we should avoid any new threats to our precious water table. It is only when it's too late that people realize they've taken their most important resources for granted. I think it's common sense to say don't build in a wetland. What one person calls a wetland, another calls suitable development land. There have been many recent examples of property damage, and people left homeless or dead by the poor planning or development in flood prone areas and mismanagement/ poor planning or stormwater runoff. It is a cumulative increase in runoff from development which has a huge impact on floods happening downriver, which often leads to tremendous losses and federal (taxpayer funded) aid. I would advocate for a minimum of development and a postponing of this until the best possible plan is designed.

Land Use Plan

At a recent hearing on this issue, I heard everything from calling the development boundaries arbitrary to stories of failing farms to sensitive nature lover stories. One thing I wish I would have addressed is the current housing crisis. An oversaturation of the housing market has kept prices from rising, depressing a vital aspect of our local economy - in fact of our national economy. When the supply end of housing is flooded with new developments, there is no way that the market can maintain health in the long term. This follows the simple law of supply and demand. Fitchburg already has a lot of vacant rentals and unfilled residential lots. All it takes is a drive through Fitchburg to see that people are struggling to sell or fill housing units. The way these types of policies work in America is on a local level. To think that Fitchburg and all the other mid sized communities have no impact on the national economy is irresponsible. While hard working families are losing on a risk they take with limited assets, short sighted developers are turning a quick buck and leaving these families with an unstable future. This has happened all over the country and has decreased international interest in our economy, lowering the value of our currency. This in turn raises the price of imported goods. While the already rich developer turns to foreign mutual funds, families see an actual loss in the real value of their assets. I cannot think of anything less patriotic than that. The increased burden on highway, sewer, police and fire infrastructures would also have huge costs that are often underestimated. As if traffic was not already a major quality of life issue as well as an issue that makes our community less conducive to investment, there are individuals who would worsen our traffic situation. Public safety through collision avoidance should be taken into account before we rush to grow our city. Air pollution, water table drawdown, paving of incredibly fertile land, and loss

of our natural heritage sum up the environmental consequences of development to me. Anybody who does not see an economic loss paralleling these losses is naive. The resources of our community are a symbol of our national pride and economic strength. Based on the above assertions, I would advocate absolute minimum development if any. Our current economy and our children's children's economy is at stake.

Jasen Joseph Hybert
5636 Longford Terrace
jasen706@yahoo.com

To whoever is going to read this:

As a 20+ year occupant of the Fitchburg home in which I have raised my children, I have seen many opportunities for of our council members to take the reins of leadership in forming a real community in here, but so many of those opportunities have languished, and now I can only envision what Fitchburg might have been if...

This is another one of those opportunities, and I find that I still have an optimism that we as a community will make the right choice. But that optimism fights a growing cynicism within me that Fitchburg is incapable of doing the right thing in the face of the self-serving interests of the developers. It is only the untiring efforts of a dedicated few that move me, and I can only hope that you will ultimately be moved as well to do the right thing, this time, and maybe another time after that, and maybe this community will still have the chance to salvage some thread of identity and sense of place that has almost disappeared completely. I once felt that Fitchburg did stand for something, and that the community leaders had a vision. I see the vision still exists within out community, however, and I sincerely hope that you're listening to the people who have it.

God bless them...

Keith Bieneman
5795 Pembroke Drive
Fitchburg, WI 53711

For all the reasons discussed I am against the development.

Pat King

"Save the Wetlands! Don't build in the Northeast Neighborhood" We
need to stop sprawl!!!!!! Please!!!!

I have reviewed in some detail your proposed plan for the NE neighborhood in Fitchburg and find it both inappropriate and ill advised. Development in Fitchburg should grow out from the new city center and not leapfrog Hwy 14. Traffic, an increase in taxes to pay for urban services and destruction of farm land are among the reasons this plan is poorly thought out. This land should remain primarily agricultural and any sprawl of housing will degrade Lake Wabesa, result in traffic on roads that will not be able to sustain it.

There are alternative visions for this land which are more environmentally friendly, will preserve needed farm land and enhance the quality of life for people in surrounding neighborhoods.

Much more public input is needed and when it comes I believe you will hear this is not the way the citizens of Fitchburg and Dane county want to move forward.

David Simmons
223-9571

Hello,

I have submitted my comments earlier at the July 12th Open House, but wanted you to have a digital version, as well.

Thank you,

Rosanne Lindsay
Fitchburg, WI

Comments submitted for Ruekert Mielke's Draft Conceptual Stormwater Study
July 12, 2007
by Rosanne Lindsay, resident
Fitchburg

The city of Fitchburg recently received a *Draft Conceptual Storm Water Study* which, if approved, would attempt to mitigate runoff pollution from a proposed development in the Northeast Neighborhood. I reviewed this draft Stormwater study using current statutes and recent published studies to determine whether it could be implemented to protect the natural resources and the public health.

Additional Studies Recommended

The authors of this plan state, "*The Northeast Neighborhood planning area and surrounding properties have significant natural resource features that require protection.*" They further recommend additional studies prior to development which "*would include a more detailed evaluation of how the proposed development would affect the groundwater system, including storm water recharge, water quality and spring flow protection.*"

To the authors' credit, the plan area is indeed situated near a natural treasure in Dane County. The area is home to woodlands, wetlands, hydric soils (historic wetlands), Big Fen, Murphy and Swan Creeks, Deep Spring, and Lake Waubesa. Thus, I encourage the city to await results from several ongoing studies that will evaluate many of the stated concerns.

Spring flow protection is relevant because Deep Spring helps freshen the lower two-thirds of Lake Waubesa, and depends on adequate groundwater flow and recharge. Wisconsin has taken steps to protect springs under (2003 WI Act 310, p.2); and the Wisconsin Department of Natural Resources is now charged with evaluating whether groundwater pumping by new high-capacity wells will impact these springs.

A groundwater study should also be conducted. In Dane County, large water withdrawals from the aquifer and the diversion of about 50 million gallons per day to Badfish Creek results in a net deficit to our aquifer. Waukesha, New Berlin, and Green Bay are examples of cities that have depleted their clean groundwater and will spend tens of millions of dollars to clean the contaminated water that's left or find a new source.

Water levels in the region have dropped enough that the computer model used to calculate the impacts of new wells on the aquifer and surface water in Dane County will need to be updated before future decisions on groundwater use are made, according the model's author, hydrologist Ken Bradbury.

Additional research, including a graphic model of key hydrologic interactions of the study area, is also being conducted by UW scientist and world renowned wetlands expert, Professor Cal DeWitt.

No Implementation Plan

According to the authors, the purpose of this stormwater plan is “*to provide directions and standards*” to reduce runoff pollution resulting from development, avoid the creation of future problems, and protect natural resources, using seven goals. However, the plan also states that “*no recommendations on how or where storm water management measures will be implemented are included as part of this report.*”

A plan based on “goals” without specifying enforceable measures to meet those goals cannot ensure that public health and natural resources in the area will be protected.

For example, the goal to “*preserve and reproduce existing hydrologic conditions,*” by itself, represents a major challenge to the city. In simple terms, the “hydrology” of a watershed is dependent on two main criteria: adequate surface flow which feeds both spring flow and the lake, and adequate infiltration for groundwater recharge. Changing either criteria, even by small amounts, can alter existing hydrology. So the real question becomes can infiltration and groundwater recharge be preserved?

Inadequate Measures for Groundwater Recharge

The 2005 Dane County Water Body Classification Study showed that even low levels of development upland from a watershed will impact and often degrade the hydrology and predictability of the water system. In fact, the County recently revised its stormwater ordinance (Ch 14) to replace caps on maximum land area required for infiltration. New language aims to maintain pre-development groundwater recharge through new design practices and flexibility to the developer.

However, groundwater recharge rates are highly difficult to measure directly or to estimate accurately, and vary with geologic conditions, land use, soil class, and changes in precipitation. Without a specific site evaluation, it would be hard to determine what standards are needed to protect or improve upon the water quality, groundwater supply, or flood protection for this area. Neither the State Code (NR 151) nor County standards are “resource based” (watershed specific).

Moreover, would existing models allow developers the flexibility to develop new approaches to improve infiltration at the site when specific site data is lacking? This question further demonstrates the need to wait for site-specific research.

Finally, this study makes no requirements for testing, monitoring, inventorying, or reporting infiltration amounts. There are no funding resources at the County to capture and maintain these inventories and there are limited resources at the city level. How will the city verify that any implementation of stormwater controls meets the original goal?

Pollution Standards Lacking

According to a 2002 EPA Water report, pollution from runoff during and after rainfalls is now the single largest cause of water pollution. A 2006 EPA Report shows 40% of streams to be in poor condition due to increased sediments. This suggests current protections under the State and County Stormwater Management Standards do not necessarily guarantee the protection of public health and safety or the natural resources in the plan area.

Conceptual Study Insufficient

This study is only a concept. Each goal that might be implemented omits an objective assessment of efficacy. It is impossible to evaluate what the outcome might be with respect to probable percent reduction in stormwater runoff and erosion, even if all of the suggested measures were employed in response to development in the Northeast Neighborhood Plan area. **Therefore, the city should not use this study as a means to approve any neighborhood development plan, any growth boundary, or any extension of urban services.**

Recently, a newly formed regional planning body was created by Governor Doyle. The Capital Area Regional Planning Commission (CARPC), charged with planning growth and protecting the county's water resources, should be able to further study this issue and the aforementioned ongoing studies to determine whether this plan, and others submitted, merits extension of Urban Services to develop the environmentally sensitive Northeast corner of Fitchburg.

A version of these comments was published in the June 28, 2007 issue of the Fitchburg *Star*.

Additional comments:

1) The level of protection specified under Stormwater Management Standards (Appendix A), does not guarantee the protection of public health and safety. One need only look to the best management practices (BMPs) used in Waukesha (the home site of Ruckert Mielke), to see that the public health protection is not guaranteed. Radium levels in drinking-water, there, remain over federal drinking water standards.

2) Where are the study elements for protecting Wetlands? This study merely pays lip service to the wetlands located to the south (Waubesa) and north (Nine Springs) but does nothing to ensure their protection. Any real stormwater plan must include the protection of the wetlands as part of the special, natural, integral features of this area. (See p. 41 of Dane County Water Body Classification Study):

" - Since wetlands are degraded by the same processes that affect streams and lakes and greatly contribute to their overall health and well-being, they too should be afforded the same level of protection and emphasis.

- Even wetlands smaller than 2 acres play important roles, individually and cumulatively.

Protection should be based on field delineation, working around these areas or incorporating them into the design.

- Prior-converted wetlands and others that have been ditched or drained should be restored and enhanced."

3) Further studies related to development in the NEN should be conducted including:

1) A groundwater (hydro-geologic) study of the aquifer in the NEN showing the effects of development from increased well pumping.

2) Cost of Community Services Study related to costs of development (i.e, water, sewer, and new roads and interchanges), that are passed on to the community. Virtually all of these cost studies show that residential land is a net drain on local government budgets and that it brings costs to the community that are not fully borne by the new residents but are instead distributed throughout the community. Findings show that for every dollar collected in taxes and non-tax revenue, between \$1.15 and \$1.50 must be spent in the form of local government services. (see study from the Town of Holland in La Crosse, WI: <http://www.co.la-crosse.wi.us/TownOfHolland/Docs/COCsreport.pdf> and this study from the towns of Dunn, Perry and Westport <http://www.pats.wisc.edu/abscost.htm>).

In fact, proponents of farmland and open space preservation now have an important economic argument on their side.

3) Transportation Study showing the impacts of traffic flow and increases in traffic and pollution to the area.

Thank you for the opportunity to submit my comments.

Sincerely,

Rosanne Lindsay
5771 Ballina Parkway
Fitchburg, WI 53711